

Received & Inspected

JAN 25 2012

FCC Main Room

January 18, 2012

Office of the Secretary  
Federal Communication Commission  
Attention: Disability Rights Office  
Room 3- B431  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Petition for Undue Burden Exemption from Closed Captioning Rules

To Whom It May Concern:

The letter requests an exemption on behalf of Bro. Jimmy Surgener located in Coeburn, Virginia from the FCC's closed captioning rules based upon undue burden. The original and two copies of this letter are being provided.

Jimmy Surgener's program is donor supported, a non- profit under the state of Virginia. Since 2009, I have produced a 30 minute weekly television program called "Jimmy Surgener", a program teaching the Bible. I produce the program in my friend's home. It is broadcast nationally to the public on LeSEA Broadcasting Network's station, WHT.

Pan American Broadcasting pays LeSEA Broadcasting \$595.00 per program to air the show over its broadcast facilities.

Captioning the program would present great undue burden for my program Jimmy Surgener, for several reasons;

1. I am 85 years old and have limited income, relying on the support of friends to continue to broadcast.
2. I do not have the resources to pay for closed captioning which costs roughly \$150 to \$200 per each 30 minute program, making the production unaffordable.

3. I have discussed with LeSEA the possibility of their assisting us in captioning the program at no cost but they did advise me they do not have the resources or staff to perform closed captioning on my behalf.
4. To date my efforts have been unsuccessful in securing sponsorship to pay for the cost of closed captioning.

A captioning requirement would ultimately cause me to have to terminate the production of the program, causing me to lose viewers and supporters who would no longer be able to regularly view the program.

I recognize the importance of closed captioning and pray that one day I could afford to do it but based upon my financial picture and the facts stated within this letter, I respectfully request that program "Jimmy Surgener" be granted undue burden exemption from the closed caption requirements.

Respectfully,

Jimmy Surgener

